

[*Harris v. Tennessee Valley Authority*](#), 90-ERA-9 (Act. Sec'y Dec. 6, 1990)

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U.S. DEPARTMENT OF LABOR

DEPUTY SECRETARY OF LABOR
WASHINGTON, D.C.
20210

DATE: December 6, 1990

CASE NO. 90-ERA-9

IN THE MATTER OF

ANN P. HARRIS,
COMPLAINANT,

v.

TENNESSEE VALLEY AUTHORITY,
RESPONDENT.

BEFORE: THE ACTING SECRETARY OF LABOR¹

FINAL ORDER APPROVING SETTLEMENT
AND DISMISSING CASE

Before me for review is the Recommended Order of Dismissal (R.O.) of Administrative Law Judge Rudolf L. Jansen, issued on November 21, 1990, in the captioned case arising under the employee protection provision of the Energy Reorganization Act of 1974, as amended (ERA), 42 U.S.C. §5851 (1982). Finding the terms of the settlement agreement entered into by the parties to be fair, adequate and reasonable, the ALJ recommended approval of the agreement and granting of the Joint Motion of Dismissal requesting dismissal of the case with prejudice.

Review of the Memorandum of Understanding and Agreement entered into by the parties reveals that it may encompass the settlement of matters arising under various laws, only one of which is the ERA. For the reasons set forth in *Poulos v. Ambassador Fuel Oil Co., Inc.*, Case No. 86-CAA-1, Sec. Order,

November 2, 1987, slip op. at 2, I have limited my review of the agreement to determining whether its terms are a fair, adequate and reasonable settlement of Complainant's allegations that Respondent violated the ERA.

The Memorandum of Understanding and Agreement has been carefully reviewed and I find it fair, adequate and reasonable. I, therefore, accept the ALJ's recommendation that the settlement be approved and the case be dismissed with prejudice as requested by the parties.

SO ORDERED.

Acting Secretary of Labor

Washington, D.C.

[ENDNOTES]

¹ There is presently a vacancy in the office of Secretary of Labor. The Deputy Secretary is authorized to "perform the duties of the Secretary until a successor is appointed. . . ." 29 U.S.C. §552. (1988).